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RICHARD H. WELLS
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ROOSEVELT JOHNSON
D-63610
LA-225L
P.O. BOX 705
SOLEDAD, CA. 93960-0705

Petitioner In Pro Se

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ROOSEVELT JOHNSON,

Petitioner,

v.

BEN CURRY, Warden,

Respondent.

Case No. c07-2610 MJJ

FIRST REQUEST FOR EXTENSION
OF TIME TO FILE OPPOSITION
TO RESPONDENT'S MOTION TO
DISMISS HABEAS PETITION

Judge: The Hon. Martin Jenkins

Petitioner, Roosevelt Johnson, in pro se, hereby request for a 30-day extension of time in which to file his opposition to respondent's motion to dismiss petition for writ of habeas corpus as untimely pursuant to 28 U.S.C. §2244(d)(1).

On April 27, 2007 Petitioner filed a federal habeas corpus petition with the United States District Court for the Central District of California. On May 7, 2007 the federal magistrate judge issued an order transferring the action to the United States District Court for Northern District of California.

On JULY 30, 2007 the court issue an order to show cause.

Instead of filing an answer to the order to show cause respondent filed a motion to dismiss (Petitioner received copy of the motion on or about November 8, 2007).

Respondent's motion appears to be based on the misunderstanding that Petitioner's application for federal habeas corpus relief is untimely. As will be discussed in greater detail in his opposition respondent is plain wrong. The petition in this case has been timely filed.

In any event, Petitioner request a 30-day extension of time in which file his opposition to the motion to dismiss. A 30-day extension of time is needed in this case because pertinent legal research needs to be conducted in order for Petitioner to adequately present his argument to this court. Moreso, Petitioner is a novice with respect to law and must rely solely on the assistance of another prisoner to prepare any and all of his legal material. Petitioner has been informed by the assisting prisoner that more time is needed in this case in order to prepare the opposition.

Therefore, Petitioner request a 30-day extension of time to and including December 29, 2007 in which to file his opposition. Petitioner is relatively confident that his opposition will be filed within this extension.

Date: 11-30-07

Respectfully submitted,

Roosevelt Johnson

ROOSEVELT JOHNSON

Petitioner In Pro Se

VERIFICATION

I declare under the penalty of perjury that the foregoing is true and correct. Executed on November 19, 2007, at CTF-P.O. Box 705, Soledad, CA. 93969-0705

Roosevelt Johnson

ROOSEVELT JOHNSON

Petitioner In Pro Se

DECLARATION OF SERVICE BY MAIL

CASE NAME: JONHSON v. CURRY

CASE NO. : C07-2610 MJJ

I, Roosevelt Johnson, declare that I am over the age of eight-
teen (18) years; I am / am not a party to the attached action; I served
the attached document entitled:

FIRST REQUEST FOR EXTENSION OF TIME TO
FILE OPPOSITION TO RESPONDENT'S MOTION
TO DISMISS HABEAS PETITION

on the persons/parties specified below by placing a true copy of said
document into a sealed envelope with the appropriate postage affixed
thereto and surrendering said envelope(s) to the staff of the Correction-
al Training Facility entrusted with the logging and mailing of inmate
legal mail addressed as follows:

Amber N. Wipfler
Deputy Attorney General
455 Golden Gate Ave., Suite 11000
San Francisco, CA. 94102-7004

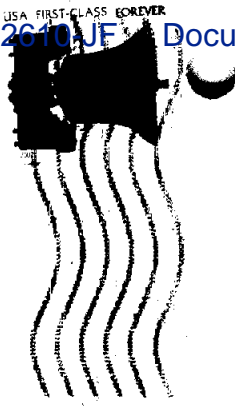
There is First Class mail delivery service by the United States Post
Office between the place of mailing and the addresses indicated above.
I declare under the penalty of perjury under the laws of the United
States and the State of California that the foregoing is true and correct,
and that I executed this service this 30 day of NOVEMBER,
2007, in Soledad, CA.

Roosevelt Johnson
Declarant
ROOSEVELT JOHNSON
PETITIONER IN PRO SE

MR. ROOSEVELT JOHNSON D-63610
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